

**REMARKS**

In the Office Action and in the Response to Arguments, it is contended that Lieshout et al. and Fauconnier et al disclose sending user measurements from the SRNC to the DRNC. Please note that the claims refer to the user measurements including received signal code power (RSCP) and interference signal code power (ISCP).

With respect to Lieshout et al., paragraphs 0035 and 0042 and Figures 2 and 3 are referred to. Paragraph 0035 refers to the SRNC requesting resource information for a UE from the DRNC. Paragraph 0042 refers to the SRNC sending power regulation information to the DRNC with respect to a user. Neither of these paragraphs or Figures 2 or 3 disclose sending the user measurements from the SRNC to the DRNC. Paragraph 0035 refers only to the SRNC requesting information from the DRNC and not the DRNC requesting the SRNC. Paragraph 42 does not refer to sending user measurements. The SRNC may use BLER to derive the power offset, but the power offset is not a user measurement. Since the DRNC does not have access to the user measurements, the SRNC needs to determine the FACH power offset for the user as the DRNC cannot do it.

With respect to Fauconnier et al., paragraphs 0078 and 0096 and Figure 6 are referred to. Paragraph 0078 refers to the UE sending timing adjustment

measurements to the SRNC and the SRNC sends the timing adjustment measurement to the DRNC so that the base stations can apply the adjustment. First, this adjustment is not a measure of RSCP or ISCP. The timing adjustment is used to correct the base stations' timing to allow for diversity combining in macrodiversity. Although the timing adjustment is referred to as a measurement, it is acting as an adjustment. The timing adjustment accordingly cannot be equated to RSCP or ISCP.

Paragraph 0096 refers to the SRNC sending measurements to the mobile switching center (MSC), such as for common channels. Since the MSC is located in the core network and not in the radio network subsystem, the MSC cannot be considered to be analogous to a DRNC.

The sending of the RSCP and ISCP to the DRNC is desirable as it allows the DRNC to make better resource allocations. The cited references either make the decisions at the SRNC, which is not optimal as it is located more remotely than the DRNC and will not have all the information available at the DRNC. The information send from the SRNC to the DRNC is along the lines of adjustments that the DRNC applies to transmissions. The only measurement sent from the SRNC to the DRNC in either Leishout or Fauconnier is timing adjustment which is essentially an adjustment. Accordingly, neither reference discloses transmitting

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user measurements, such as RSCP and ISCP. Accordingly, applicants respectfully submit that the claims are allowable.

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

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